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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
v.
VIRGINIA ROBERSON,
a/k/a Virginia Moody,
and
ANTOINETTE COWDEN,
Defendants.

No. CR 09-0523 WHA

STIPULATION AND [PROPOSED]
ORDER EXCLUDING TIME FROM JUNE
16, 2009 THROUGH JUNE 23, 2009

On June 16, 2009, the parties in this case appeared before the Court. At that time, the parties stipulated that time should be excluded from the Speedy Trial Act calculations from June 16, 2009 through June 23, 2009 for effective preparation of defense counsel. The parties represented that the continuance was the reasonable time necessary for effective preparation and continuity of defense counsel, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv).

STIP. AND [PROPOSED] ORDER EXCLUDING TIME
CR 09-0523 WHA

Specifically, the parties agreed that the government needed to provide additional discovery to counsel for Ms. Roberson, and that her counsel needed time to review that discovery.

The parties and the Court agreed that the ends of justice served by granting such a continuance outweighed the best interests of the public and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(8)(A).

SPEEDY TRIAL ACT IMPLICATIONS

Pursuant to 18 U.S.C. § 3161, and Crim. Loc. Rule 47-2(c), there are sixty-three days remaining before the trial in this case must commence. Taking the stipulated time exclusion from June 16 through June 23, 2009 into account, the “speedy trial” date for this matter is August 25, 2009.

SO STIPULATED:

JOSEPH P. RUSSONIELLO
United States Attorney

DATED: 7-6-09

_____/s/_____
MATTHEW L. McCARTHY
Assistant United States Attorney

DATED: 7-6-09

_____/s/_____
JUDD IVERSEN
Attorney for Virginia Roberson

DATED: 7-6-09

_____/s/_____
JOHN HEMANN
Attorney for Antoinette Cowden

ORDER

As the Court found on June 16, 2009, and for the reasons stated above, the Court finds that an exclusion of time between June 16, 2009 through June 23, 2009 is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. See 18 U.S.C. §3161 (h)(8)(A). The failure to grant the requested continuance

would deny defense counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would result in a miscarriage of justice.

See 18 U.S.C. §3161(h)(8)(B)(iv). Taking the stipulated time exclusion from June 16 through June 23, 2009 into account, the “speedy trial” date for this matter is August 25, 2009.

SO ORDERED.

DATED: July 7, 2009

